

**BOARD OF SUPERVISORS**

**GILA COUNTY, ARIZONA**

Date: October 7, 2004

**JOSÉ M. SANCHEZ**

Chairman

**JOHN F. NELSON**

Clerk of the Board

**RONALD A. CHRISTENSEN**

Vice-Chairman

By: Marilyn Brewer

Deputy Clerk

**CRUZ SALAS**

Member

Gila County Courthouse  
Globe, Arizona

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PRESENT: José M. Sanchez, Chairman; Ronald Christensen, Vice-Chairman; Cruz Salas, Member; and, Jacque Griffin, Assistant County Manager/County Librarian.

The Gila County Board of Supervisors met in Work Session at 10:00 a.m. this date. Vice-Chairman Christensen led the Pledge of Allegiance and Jeremy Goodman delivered the Invocation.

At this time each Board member presented a brief summary of current events as allowed by A.R.S. §38-431.02(K). No action was taken on any items that were presented.

Mary Anne Moreno, Executive Director of the Globe-Miami Regional Chamber of Commerce and Economic Development Corporation (GMRCC/EDC), presented GMRCC/EDC's annual report on local economic development issues through a PowerPoint presentation. She advised that the colors in the GMRCC/EDC logo were changed to reflect Gila County's heritage of copper, and a contest was also held with Mr. Kim Stone submitting the winning slogan of "Ore, Lore & More." Ms. Moreno's presentation began with the listing of the Executive Board, Board of Directors and staff, and mission statement. The mission of GMRCC/EDC is to support business by attracting new businesses, helping existing businesses to expand, developing and

expanding tourism, and attracting new residents to the community. Other topics presented included the following: 1) New businesses to the community; 2) business recruitment; 3) tourism promotion which included Apache Jii Day 2003, Historic Home Tour 2004, Miami Home Tour, along with events that were supported which included the Blues Festival, Jailhouse Rock, Christmas Light Parade, and Besh-Ba-Gowah Light Festival; 4) housing development; and, 5) strategic focus for 2003-2004 which included: A) transportation (State Route 188, passing lanes on U.S. 60, 4 lanes at Boyce Thompson Arboretum, 4 lanes to Superior, and MoveAZ); B) telecommunications (Pinal/Gila Community Telecom Assessment, broadband improvements, and San Carlos Telecommunications Group); C) natural resources (supported cattle ranching, multiple use of public lands, Resolution Copper Company, Carlotta Copper Project, Canyon Water Improvement District, and the City of Globe water bond); D) Globe-Miami unification efforts; and E) Old West Gateway and Stable Funding. Ms. Moreno stated that years ago, the County asked the Economic Development Committee to participate in the Enterprise Zone Program administered by the Arizona Department of Commerce. She advised that an application must be submitted on an annual basis to the State for the County's continued designation as an Enterprise Zone. Ms. Moreno further advised that she would present resolutions and intergovernmental agreements to the Board next month for approval, which is also part of the application process. She explained that the intent of the Enterprise Zone Program is to increase job opportunities for residents of Gila County through the provision of local and State incentives, and technical assistance to participating employers. Types of benefits available include business income tax credits, certification of potential qualified employees, referral of qualified job candidates, coordination with local training resources for additional employment and training program services, contact and clearinghouse for new businesses in the County, business development directory to assist in the establishment of a new business in the County, and a data base to support local economic development activities.

Guidelines for being designated as an Enterprise Zone relate to poverty levels and unemployment levels. Last year the requirement was that more than 22% of the population, based on the 2000 Census, had to be at the poverty level, or unemployment had to be over 7% countywide. A map was presented to show how a mosaic Enterprise Zone was created working with the high poverty rates on the San Carlos and White River Indian Reservations and the Hayden/Winkelman areas and also getting the Payson Industrial Park into the Enterprise Zone. Ms. Moreno continued with her presentation by giving details on the number of visitors to the Chamber office, phone calls, mail received, website hits, and Chamber memberships currently totaling 340. She then spoke on the economic impact to communities within Gila County in terms of tourism. With 71,500 visitors at \$40.00 per visitor, the direct economic impact was \$2.86 million and the realistic turnaround for a dollar in a rural community is about 4 times, so the total economic impact was \$14.3 million. Ms. Moreno listed the workshops and seminars GMRCC/EDC has been involved with over the past year which included Workforce Development, Department of Commerce, Small Business Development Center & Gila Community College Contractor's Seminar, USDA Lending Seminar, TMDL Pinto Creek Meetings, and AADA Tourism Committee Meetings. Ms. Moreno also spoke about some of the committees she's been serving on which include the Association of Economic Development Rural Committee, Central Arizona Association of Governments CEDS Committee and its regional council, Globe Water Committee, Globe-Miami Unification Committee, Southern Gila County Network Team, Old West Gateway Committee and United Fund. GMRCC/EDC's 2004-2005 mission statement will remain the same, and the goals are as follows: business recruitment and expansion, continuation of the Economic Development Committee, hiring consultants to market economic development efforts, continue to pursue leads, assist entrepreneurs, continue working with the Gila County Community College on the Small Business Development Center, and continue to conduct classes, seminars and

workshops. Ms. Moreno spoke on the major events held last year as well as some added events which include the Old Fashioned Independence Day Celebration, Soap Box Derby Rallies, Blue Grass Festival, and a Copper Turquoise Festival at Bullion Plaza Park next summer. With regard to housing, Ms. Moreno stated that a land inventory has been completed and approximately 1,000 acres have been located that could be developed in this area. A building inventory is being compiled for Globe and Miami, and an agreement has been signed with the Arizona Department of Housing for a comprehensive housing strategy. In focusing on tourism, Ms. Moreno stated that groups are working on an agreement to allow the City of Globe to run the Old Dominion area as a walking park/visitor center with signage for various trails to point out some of the foundations and some of the pictures of the old operations for a history lesson while people are visiting; however, access to the area is a problem. With regard to the Bullion Plaza Cultural Center, discussions are ongoing about creating an underground mine exhibit in the basement. Ms. Moreno concluded her presentation by addressing some of the major challenges to Gila County which include: transportation/highway access, industrial zoning/park, housing for senior citizens, eliminating the fragmentation between and within the communities to the extent that all can prosper together, and creating major partnerships countywide. She stated the goals of the GMRCC/EDC will continue to be community promotion, partnerships, and supporting organizations and entities within the community. Vice-Chairman Christensen thanked Ms. Moreno for presenting an excellent report and stated the activities she has been involved in are certainly helpful to the community, and he commended her enthusiasm for the work she's doing. Supervisor Salas stated he was very pleased with the report and thanked Ms. Moreno and the Chamber Board for their help in working with this County administration. He also emphasized the importance of developing and sustaining partnerships amongst the entities in the community. He stated, *"...The County has a small cluster of negative people who don't want to see*

*change, but change must happen or we're going to be left behind."* Supervisor Salas also spoke on the importance of getting funds for Highway 60 from Florence to Superior and then from Superior to Miami, as well as the need to expand the infrastructure and approach the State and Federal government to acquire more land for Gila County in order to have room to attract industry to the area. Chairman Sanchez showed a map of Gila County that reflects the 3% of land that is privately owned, with the other 97% owned by the State and Federal government. Chairman Sanchez thanked Ms. Moreno for her excellent report and referred to two other items of importance to the County; the race track, which feasibility studies have shown would generate \$1M into the local economy, and continued work on the community college. Chairman Sanchez expressed a concern that work continue on recreation areas around Roosevelt Lake and possible developments in the Pinal Mountains.

Jim Rasmussen gave a quarterly update presentation on the Gila County Cattle Growers Association (GCCGA). Mr. Rasmussen noted a correction for the agenda item which should have listed him as a presenter for the GCCGA instead of the Arizona Cattle Growers Association. In April of this year, he advised that the Executive Board for the GCCGA traveled to Washington D. C. to meet with and present Arizona cattle issues to Congressmen, the Under Secretary of Agriculture, Mark Gray, and other individuals. As a result of that trip, Mr. Rasmussen advised that the Restocking Agreement with the United States Forest Service (USFS) has now been signed by the USFS Region Three officers and Tonto National Forest (TNF) management in Phoenix, as well as by local people. The Board also met with Under Secretary Tommy Thompson, in Albuquerque, New Mexico, to address some of the problems that Arizona and New Mexico are having with the USFS. In reference to the Restocking Agreement, Mr. Rasmussen stated: *"The key components are a 'stock and monitor' approach; in other words, put some cattle out there and then monitor and determine where you go from those levels. There's also a 'core herd' concept which means when the Forest Service says to cut back, always leave a core herd,*

*not a definite percentage, but keep some animals there that are acclimated to that country so when things get good again, that rancher has something to grow on and those cows know the country and you can grow from there....It's a very difficult job working with the bureaucrats."* Mr. Rasmussen advised that United States Congressman Rick Renzi is working on a bill for introduction into the U.S. House of Representatives on cattlemen's rights. This bill will provide compensation to a rancher if the rancher is required to remove cattle from an allotment. He also spoke about the loss to the cattle people by the retirement of Larry Widner, who has been the District Ranger for the USFS, TNF, in the local area for approximately 25 years. Mr. Rasmussen advised that the GCCGA is trying to persuade TNF personnel to be more flexible on how they use the rules and regulations, such as monitoring, by asking that monitoring be conducted on trends, rather than just a one-site observation for the removal of cattle. Support is being received from the TNF office in Phoenix but is still lacking from local TNF rangers. Mr. Rasmussen stated that real numbers are showing that approximately 1,547 cattle have been placed back on TNF land, but at one time there were as many as 60,000 cattle. One other area Mr. Rasmussen spoke about is the Department of Agriculture National Resources Conservation Service Program, which issues grants primarily to private farms. He stated, *"Even though this involves Federal land, these ranchers could use help to restore the infrastructure when they put the cattle back on the Forest Service property. This is called 'equip' money totaling \$1.5M set aside for Tonto National Forest ranchers to apply for, which is a big accomplishment. Approximately thirty ranchers have applied and \$600,000 has been approved, but many of the ranchers still don't have confidence to apply for the money and get the cattle back on the land for fear of having to pay that grant money back if they are told to remove the cattle again."* Mr. Rasmussen named the new officers of the GCCGA as of September 2004 which include the following: John Griffin, President; John Fowler, Vice-President; David Cook, Secretary; Jim Rasmussen, Treasurer; and, Terry Wheeler, Past President. Mr. Rasmussen

passed out a detailed report showing all income and expenditures from 12/26/03 through 9/29/04 for the GCCGA. Vice-Chairman Christensen stated he would be in Cheyenne, Wyoming, next week and he would relay the information reported today by Mr. Rasmussen. Vice-Chairman Christensen also stated: *“The cattle on public land is not the problem and never has been, but it’s these radical environmentalists blaming the cattle ranchers. We’re burning down the forests and without cattle there you have nothing to help maintain the forests. I will continue to support the Cattle Growers where I can. Cattle have to learn to live on the range out here, and keeping the core herd is necessary, but when someone is not familiar with this, it’s a big mystery to them. You have to continue to try to educate them, which is a big problem requiring a lot of persistence.”* Supervisor Salas thanked Mr. Rasmussen for a fine report and stated: *“I also want to thank Vice-Chairman Christensen because he’s been working on this issue back in Washington. For all of the work he’s done over the years, Vice-Chairman Christensen has opened doors for you people to get in and be heard, and I thank you Mr. Christensen.”* Chairman Sanchez thanked Mr. Rasmussen for his report and stressed the importance of continuing the work to get the cattle back on TNF lands.

Terry Smith, Community Development Division Deputy Director/ Planning and Zoning Department Manager, presented an outline of a proposed ordinance requiring the removal of rubbish, trash, weeds, filth, debris, and dilapidated buildings from properties. He advised that the proposed ordinance was previously presented to the Board of Supervisors by Marco Olsen, Fire Chief of the Tri-City Fire District. Mr. Smith was then instructed to put together an outline for a potential ordinance. Mr. Smith stated that basically he put the emphasis on the “shalls” and “mays” in the outline of the ordinance, but it is up to the Board of Supervisors to decide upon the actual ordinance language. He stated there are three main parts to the ordinance (listed below in A1, A2 and A3) which must be included. Mr. Smith read the outline of the ordinance for the record, which included the following items:

**A) The ordinance shall include the following:**

**1) Reasonable written notice to the owner, any lien holder, occupant or lessee. Notice shall be given not less than 30 days before the day set for compliance; estimated cost to the County for the removal if there is non-compliance; the notice shall be personally served or mailed by certified mail at the last know address, or to the address to which the tax bill for the property was last mailed.**

**2) Provisions for appeal to the Board of Supervisors on both the notice and the assessments.**

**3) That any person, firm, or corporation that places any rubbish, trash, filth or debris upon any private or public property located in the unincorporated areas of the County not owned or under control of the person, firm, or corporation is guilty of a class 1 misdemeanor and, in addition to any fine which may be imposed for a violation of any provision of this section, is liable for all costs which may be assessed pursuant to this section for the removal of the rubbish, trash, filth, and debris.**

**B) The ordinance may provide that if any person, after notice is given, does not comply, the County may, at the expense of the owner, lessee, or occupant, remove, abate, enjoin or cause the removal of the rubbish, trash, weeds, filth, debris or dilapidated buildings.**

**C) The Board may prescribe a procedure for such removal or abatement, including the actual costs of any inspection and other incidental costs in connection with the removal or abatement, an assessment upon the property from which the rubbish, trash, dilapidated buildings, etc., are removed.**

**D) The ordinance may provide that the cost of removal, abatement, or injunction of the rubbish, trash, etc., and any associated legal costs be assessed in the manner and form prescribed by ordinance of the County upon the property from which the rubbish, trash, etc., are removed, abated or enjoined. The County shall record the assessment in the**



**County Recorder's Office including the date and amount of the assessment and the legal description of the property.**

**E) Assessments that are imposed run against the property until they are paid, and are due and payable in equal installments as follows: a) Less than \$500.00—within one year; b) \$500.00 but less than \$1,000.00—within two years; c) \$1,000.00 but less than \$5,000.00—within three years; d) \$5,000.00 but less than \$10,000.00—within six years; and, e) \$10,000.00 or more—within ten years.**

**F) A prior assessment is not a bar to a subsequent assessment or assessments for such purposes, and any number of liens on the same property may be enforced in the same action.**

**G) Before removal of a dilapidated building, the Board shall consult with the State Historic Preservation Officer to determine if the building is of historic value.**

**H) If the dilapidated building is removed, the Assessor shall adjust the valuation of the property on the property assessment tax rolls from the date of the removal.**

**I) Occupant does not include any corporation or association operating or maintaining rights-of-way for and on behalf of the U.S. Government, either under contract or under Federal law.**

**J) Dilapidated building means any real property structure that is in such disrepair or is damaged to the extent that its strength or stability is substantially less than a new building or it is likely to burn or collapse and its condition endangers the life, health, safety or property of the public.**

Mr. Smith stated it is up to the legislative body to decide upon the language contained in the ordinance as far as the enforcement portion. He also stated that currently when the County deals with junk yards and junk cars on private property; it is through the County's zoning ordinance which does not really have the "teeth" needed to enforce these types of issues. Mr. Smith believes

that is why A.R.S. §11-268, Powers of the Board, was created and he referred to A.R.S. §11-800 which addresses Planning and Zoning. He stated: “A.R.S. §11-268 stands alone, meaning there is no provision in there as to which agency, other than the Board of Supervisors, can set this up, so it’s up to the Board as to whom they want to enforce this, and the language they want in the ordinance. Typically any new ordinances that somewhat parallel Planning and Zoning issues usually go to the Planning & Zoning Commission to be studied or a subcommittee is put together to look at other ordinances to get ideas and go through the public hearing route through the Planning and Zoning Commission to receive input from the public and establish a draft and work its way from the committee to the Planning and Zoning Commission, and then back to the Board for review to see if we’re moving in the right direction. I’m not necessarily saying that should happen but it is just a possibility, and hopefully I’m not coming across to the Board that I’m volunteering to take this on, but I think I got volunteered to put together the information.” Chairman Sanchez stated that although this is not a public hearing, with the Board’s permission, he wished to allow members of the audience to speak on the issue, including Gene Hazen who submitted a Public Participation Form. Chairman Sanchez called on Gene Hazen, a resident of Globe, Arizona. Mr. Hazen questioned whether the ordinance would apply to trailer parks. Chairman Sanchez stated that historically people residing in outlying areas of the County choose to live away from other people and want to be left alone to do as they please; however, if adopted this proposed ordinance will apply to those citizens living within any unincorporated area of the County. He then expressed his support of this proposed ordinance. Chairman Sanchez called on Mr. Smith to reply to Mr. Hazen’s question. Mr. Smith stated that dilapidated properties within the unincorporated areas of Gila County will be looked at which could potentially be hazardous including grass and weed areas. He further stated that any properties which could create a health and safety issue will be addressed immediately. The following members of the audience also addressed issues and concerns pertaining to this agenda item:

Lionel Martinez, Gila County Legislative Liaison; John Armer, Gila County Sheriff; Kathy Quinn, a resident of Miami, Arizona, and a representative of the Miami Revitalization Committee; Marco Olsen, Fire Chief of the Tri-City Fire Department; Mary Anne Moreno, Executive Director of the Greater Globe-Miami Chamber of Commerce and Economic Development Corporation; Sharon Radanovich, Gila County Solid Waste Department Manager; June Ham, a resident of Globe, Arizona; Gary Quinn, a resident of Miami, Arizona, and a representative of the Miami Revitalization Committee; and, Priscilla Knuckey-Ralls, Gila County Treasurer. Some of the concerns presented were as follows:

- The entity that will be responsible for enforcing the ordinance.
- If the fees will be based on income, there would need to be criteria for the waiving of fees, so everything is constant.
- There will be a problem with people thinking that because they live in the County, rather than a city or town, they won't have to follow any rules. The ordinance needs to be applicable to everyone so it can be easily enforced, but there needs to be clarification on which entity will be responsible for enforcing the ordinance.
- Many of the issues will be fire hazards and perhaps some parameters that define a fire hazard should be included in the ordinance.
- Liens attached to properties for long periods of time, for example, twenty years.
- Senior citizens not being capable of doing for themselves or paying was mentioned with the question of whether there would be a waiver of fees.

Chairman Sanchez thanked everyone for their input, and he stated: *"I'm going to insist that we go to the next step on this through our Planning and Zoning (Department), forming a sub-committee to start working on this ordinance as soon as possible."* Vice-Chairman Christensen stated that if this ordinance is adopted, it will be enforced within all unincorporated areas of the County. He stated, *"In my area there is a lot of absentee ownership with people living elsewhere who bought the property for investment purposes, and it's a real*

*problem trying to get those people to clean up those lots. There isn't anything free, and if we waive fees, it has to be made up somewhere else. I don't think the taxpayers of Gila County should always be picking up the bill."* Vice-Chairman Christensen questioned whether the ordinance will contain a neighborhood complaint process component, which he feels should be incorporated into the ordinance. He also stated that if there is a weed or trash problem on a particular property, the fire department should determine whether a fire hazard exists. Vice-Chairman Christensen advised that brush located on properties causes the biggest problem in his Supervisorial District. He has witnessed homes burn as a result of a homeowner's failure to remove the brush from around their homes. Vice-Chairman Christensen advised that State Farm Insurance Company is taking a serious look at brush and trees around homes, and if a person wants trees around their home, extra insurance premiums will be assessed. Vice-Chairman Christensen stated that in order for this ordinance to be taken seriously by all citizens residing within the unincorporated areas of the County, it must contain an enforcement structure with assigned penalties for non-compliance. Chairman Sanchez spoke about Project Challenge which is a program that allows youth to clean up areas. He stated that program does involve costs. Supervisor Salas stated that properties located within his Supervisorial District are *"some of the filthiest I've ever seen."* He stated: *"We need to put some teeth into this ordinance to get things done, but we're going to need to have partnerships with all of you (other entities within the County). All of you that are concerned about these particular areas, we do need this ordinance. Every single one of us must take responsibility in the areas where we live, to organize those people, and put pressure on them or go clean it up for them. The County will cooperate as much as we possibly can, but nothing is free. It costs a lot of money to maintain a landfill."* Chairman Sanchez thanked both Supervisors for their comments, as well as the input received from the members of the audience.

There being no further business to come before the Board of Supervisors,  
Chairman Sanchez adjourned the meeting at 12:31 p.m.

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José M. Sanchez, Chairman

ATTEST:

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John F. Nelson, County Manager/Clerk